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Admiral STOCKTON read the following report:

#### REPORT OF SUBCOMMITTEE NO. 2

*To formulate and agree upon the amendments and additions, if any, to the rules of international law shown to be necessary or useful by the events of the war and the changes in the conditions of international life and intercourse which have followed the war.*

Gentlemen:

Your Subcommittee No. 2 hereby presents its report and recommendations.

The committee has confined itself to questions involving amendments to existing rules of international law.

Very many suggestions have been made to the subcommittee and have received careful consideration. It has seemed advisable to the subcommittee to make at this time only a small number of suggestions and those mainly bearing on the possibilities of the Court. The committee assumes that the Society will appoint another committee or committees which may take into consideration the questions approved by the General Committee at this time and such other questions as may seem desirable, for careful study and possible detailed report to the Society at its next annual meeting.

The following are the suggestions made:

#### 1. RESPONSIBILITY

A proper classification of illegal acts of states for which they may be held responsible, with proper penalties and remedies.

#### 2. TRANSFER OF TERRITORY

How far should residents have a voice to make such transfers legal?  
Do the traditional sources of good title need modification?

#### 3. FREE ACCESS TO THE SEA

Can states be secured freedom of transit in international rivers, subject to reasonable control by riparian states?

#### 4. PROTECTION OF PRISONERS OF WAR

Various modifications and additions in the Hague regulations of 1907 seem desirable. The committee has not thought best to embody specific suggestions, leaving those for the consideration of the committee which may take up these details for a later meeting.

#### 5. NEUTRAL PRIZES

More definite rules are needed governing the treatment of neutral prizes brought by a belligerent into a neutral harbor.

#### 6. THE STATUS OF GOVERNMENT VESSELS

- a. Owned by a government.
- b. Requisitioned by a government.

- c. Used for strictly public purposes.
- d. Used in whole or in part for commercial purposes.
- e. As to neutral governments or individuals in war.
- f. As to co-belligerent governments or individuals in war.
- g. As to other governments or individuals in war.

The General Committee will notice, as has been said, that the subcommittee has in general refrained from suggesting specific forms of amendment, believing that these topics need far more extended and detailed study than has been possible for the subcommittee at the present time.

Respectfully submitted,

HARRY PRATT JUDSON,  
Chairman.

Chairman LANSING. The next report will be by Subcommittee No. 3. The chairman of that committee is Governor Simeon E. Baldwin, and he requests that the report be read and presented by Professor George G. Wilson.

Professor WILSON read the following report:

#### REPORT OF SUBCOMMITTEE NO. 3

*To endeavor to reconcile divergent views and secure general agreement upon the rules which have been in dispute heretofore.*

In reviewing the interpretation of international rules, the subcommittee finds divergence of opinion upon many points.

Typical of this divergence are:

- (1) The forms and requisites of declarations of war since 1914;
- (2) The effect of war upon treaties, *e. g.*, opinions concerning the force of the treaty between the United States and Prussia of 1785 and 1828;
- (3) The rules of land warfare, *e. g.*, the controversies concerning the application of Art. XXIII (h) of the Fourth Hague Convention of 1907;
- (4) Problems of maritime warfare, *e. g.*, the abolition of the distinction between absolute and conditional contraband, and the extension of the doctrine of continuous voyage.

The following suggestions have been made:

- (a) That outside of neutral jurisdiction, the ultimate destination of a neutral vessel or cargo determines the liability of either to condemnation.
- (b) That there should be considered the abandonment of the doctrine of conditional contraband, specifically, with reference to the treatment of foodstuffs.
- (c) That there should be considered the feasibility of a general agreement concerning the operation and effect of neutral governmental certification of the non-hostile uses of neutral foodstuffs destined to hostile territory, as a safeguard against capture and condemnation.

Chairman LANSING. Subcommittee No. 4 is next in order. The chair-